

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

V.

LEVI D. LINDEMANN,

Defendant.

Case No. 14-cv-4834 PJS/JJK

Judge Patrick J. Schiltz

Magistrate Judge Jeffrey J. Keyes

**AGREED MOTION FOR ENTRY OF CONSENT JUDGMENT
AGAINST DEFENDANT LEVI D. LINDEMANN**

Plaintiff United States Securities and Exchange Commission (“SEC” or “Commission”), with the agreement of defendant Levi D. Lindemann (“Lindemann”), respectfully moves this Court for entry of judgment, by consent, against Lindemann. In support of this motion, the SEC states as follows:

1. From about September 2009 to August 2013, defendant Levi D. Lindemann raised at least \$976,000 from six investors, including elderly individuals and a member of his own family. In its complaint, the SEC alleges that Lindemann told these investors that their money would be used to purchase a variety of investments. In reality, none of these investments were ever made. Instead, the SEC

alleges, Lindemann spent the funds on himself, his other business ventures, and Ponzi-like payments to investors to perpetuate his fraud.

2. On November 24, 2014, the SEC commenced this action against Lindemann. He was subsequently indicted in a parallel criminal proceeding in this Court. Yesterday he pleaded guilty in that matter. *See United States v. Lindemann*, 15 CR 350 (D. Minn.).

3. Pursuant to the Consent of Defendant Levi D. Lindemann, attached as Exhibit A hereto, Lindemann has agreed to consent to the entry of a Judgment in this action, without admitting or denying the allegations against him (except as provided in paragraph 11 and except as to personal and subject matter jurisdiction, which Lindemann admits). The proposed Judgment is attached as Exhibit B. The proposed Judgment permanently restrains and enjoins Lindemann from violation of Section 10(b) of the Securities Exchange Act of 1934 (the “Exchange Act”) [15 U.S.C. § 78j(b)] and Rule 10b-5 promulgated thereunder [17 C.F.R. § 240.10b-5], and Section 17(a) of the Securities Act of 1933 (the “Securities Act”) [15 U.S.C. § 77q(a)].

4. The Judgment resolves the SEC’s claims for injunctive relief against Lindemann. It provides that upon motion of the Commission, the Court will determine the appropriate disgorgement, including prejudgment interest and civil penalties. The Commission anticipates doing so following the sentencing proceeding in the parallel criminal matter.

WHEREFORE, plaintiff Securities and Exchange Commission respectfully requests that the Court grant this agreed motion, enter Judgment as to Lindemann in the form attached as Exhibit B hereto, and grant such other and further relief as the Court deems just and proper.

Dated: March 2, 2016

Respectfully submitted,

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION**

By: /s/ Jonathan S. Polish

By: One of its attorneys

Jonathan S. Polish

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION**

175 W. Jackson Blvd, Suite 900

Chicago, Illinois 60604

Telephone: (312) 353-7390